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EXAMINER

DEBROW, JAMES J

ART UNIT

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2176

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/524,728	Applicant(s) LEFEBVRE, MICHEL	
	Examiner JAMES J. DEBROW	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communications: Amendment filed 24 Mar. 2008.

Claims 1-12 are pending in this case. Claims 1 and 12 are independent claims.

Specification

The amendment filed 24 Mar. 2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: **Claim 2** has been amended to recite "*said titles and notifications and the inputted text and titles appear as single linear text in at least one text zone*". The Examiner can not find any support for this recitation/limitation within the specification. Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to

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reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 2 has been amended to recite “*said titles and notifications and the inputted text and titles appear as single linear text in at least one text zone*”. The Examiner can not find any support for this newly added recitation/limitation within the specification.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim recites “*defining a document standard*”. It is unclear to the Examiner as to the meaning of “standard” in this context. The use of the word “standard” implies to the Examiner that predefine guidelines already exist. Thus it is unclear to the Examiner how one would define or establish a pre-existing “standard”. Therefore the Examiner determines “standard” to refer to previously define guidelines/steps/procedures.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The language of the claims raise a question as to whether the claims are directed merely to an abstract idea that would not result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

In summary, Claim 12 recites a “*device*” for communicating structured information between a first user and a second user. The Specification of the present application indicates that the is preferentially implemented in the form of software (see Page 7, paragraph 0027, lines 1-2.). Thus, for purposes of examination, the examiner interprets the recited “*device*” to be software per se. That is, the recited “*device*” is not a process, a machine, a manufacture or a composition of matter.

Accordingly, Claim 12 fails to recite statutory subject matter as defined in 35 U.S.C. 101.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCaskey et al. (Pub. No.: US 2002/0152245 A1; Filed Apr. 5, 2001) (hereinafter 'McCaskey') in view of Dedrick (Patent No.: 5,717,923; Filed: Nov. 3, 1994).

Regarding independent claim 1, McCaskey discloses *a method for communicating structured information, between a first user and at least one second user, said method comprising:*

defining a document standard determining a general framework of the document comprised of (0083-0087; McCaskey discloses web page templates with specialized formats customized for specific news categories, thus defining a document standard.):

a series of titles and notifications (0078; 0081; 0091; McCaskey discloses different standard regions of a single Web page and Web page template, which includes a title section. McCaskey also discloses an electronic mail notification database.);

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inputting, by said first user, said information, the step of inputting being comprised of inputting text and/or titles to the general framework and selecting values authorized on said fields (0064; 0081; 0087; 0091; 0120; McCaskey discloses writers use software to direct story's placement and formatting in it's printed newspaper form, thus a step for inputting information.).

McCaskey does not expressly disclose values authorized by fields of information, the step of defining being performed by said first user and the second user, said first user producing the information, the second user receiving at least a portion of the information;

transmitting the said information from said first user to storage for each secondary user;

selecting, by each secondary user, a sorting criterion based on the titles or the fields of the document set by the step of defining a document standard;

re-organizing the document according to said sorting criterion;

supplying, to the secondary user, the document re-organized according to the said sorting criterion;

wherein each second user defines an identical document standard, and wherein each second user selects a separate sorting criterion corresponding to each second user independent from another second user.

Dedrick teaches values authorized by fields of information, the step of defining being performed by said first user and the second user, said first user

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producing the information, the second user receiving at least a portion of the information (col. 4, lines 24-65; col. 14, lines 13-32; col. 13, lines 29-46; Dedrick teaches the publisher/advertiser assigning certain consumer variables from a set of consumer variables and associate the variables with specific objects or fields within the electronic document. Dedrick also teaches a publisher/advertiser creating electronic information such as an advertisement which is then forwarded to a client via a server. The electronic information includes several options fields from which the end user may select.).

transmitting the said information from said first user to storage for each secondary user (col. 2, line 63-col. 3 line 18; col. 4, lines 10-23; Dedrick teaches a local content database, a remote metering server and a regional server. The created electronic information/advertisement may be transferred to a metering server in which the end user is then able to consume the information/advertisement.).

selecting, by each secondary user, a sorting criterion based on the titles or the fields of the document set by the step of defining a document standard (col. 8, lines 20-55; Dedrick teaches the end user (*first user*) requesting a web page sorted by a particular item (*title*), i.e. camera, modifying the user profile data. The appraisal agent accesses the user profile data from the personal profile database to determine the search criteria, then search for information by making requests to the yellow page servers (*second user*).).

re-organizing the document according to said sorting criterion (col. 8, lines 20-55; Dedrick teaches the end user requesting a web page sorted by a

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particular item (*title*), i.e. camera, modifying the user profile data. Therefore teaching a step for the re-organization of the document according to the selected criteria.).

supplying, to the secondary user, the document re-organized according to the said sorting criterion (col. 8, lines 20-55; Dedrick teaches the end user (*first user*) requesting a web page sorted by a particular item (*title*), i.e. camera, modifying the user profile data. The appraisal agent accesses the user profile data from the personal profile database to determine the search criteria, then search for information by making requests to the yellow page servers (*second user*). The advertisement is returned to the end user.).

wherein each second user defines an identical document standard, and wherein each second user selects a separate sorting criterion corresponding to each second user independent from another second user (col. 4, lines 24-65; col. 8, lines 38-66; Dedrick teaches a publisher/advertiser creating electronic information such as an advertisement which is then forwarded to a client via a server. The electronic information includes several options fields from which the end user may select. Dedrick further teaches the end user defining a search criteria to find an advertisement to meet the user needs, such as a particular brand, features, price, etc.. Thus the information sent to the server by the publisher/advertiser and received by the end user is sorted based on the end user's search criteria and returned to the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey with Dedrick for the benefit of the

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publishers and advertisers to be able to provide the type of electronic information that end users want, thereby providing high quality electronic information (col. 17, lines 10-12).

Regarding dependent claim 2, McCaskey discloses *a method according to claim 1, wherein said titles and notifications and the inputted text and titles appear as single linear text in at least one text zone, during the step for of inputting and the step for of supplying, in at least one text zone, the titles defined* (0078; 0081; 0091; Fig. 4; McCaskey discloses the web page template which contain text zone which holds text which is *traditional ergonomically* displayed as a single line of text, ie captions, titles, headlines, archives, classifies, etc. McCaskey also discloses an electronic mail notification database.).

Regarding dependent claim 3, McCaskey does not expressly disclose *a method according to Claim 1, wherein the step of defining the said document standard comprises:*

modifying at least one title by said first user during the step of inputting; and selecting the modified title by the second user during the step for selecting said sorting criterion, for at least one title, a selection step is made if the title can be modified by the first user during the inputting step.

Dedrick teaches *modifying at least one title by said first user during the step of inputting; and selecting the modified title by the second user during the step for selecting said sorting criterion, for at least one title, a selection step is*

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made if the title can be modified by the first user during the inputting step (col. 4, lines 24-65; col. 8, lines 38-66; col. 8, lines 20-45; Dedrick teaches a publisher/advertiser creating electronic information such as an advertisement which is then forwarded to a client via a server. Dedrick teaches the end user (first user) requesting a web page sorted by a particular item (title), i.e. camera, modifying the user profile data for at least one title.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey with Dedrick for the benefit of the publishers and advertisers to be able to provide the type of electronic information that end users want, thereby providing high quality electronic information (col. 17, lines 10-12).

Regarding dependent claim 4, McCaskey discloses *a method according to Claim 1, the step for inputting comprises:*

modifying at least one part of said document standard after the step of defining by said first user (0086; McCaskey shows the layouts of the templates as they might appear on a computer screen. The contents and behaviors of any region of the template may be easily modified by changes to the template itself.).

Regarding dependent claim 7, McCaskey discloses transmitting the edited news electronic web page to the web user (0133; claim 58). McCaskey does not expressly disclose *a method according to Claim 1, wherein, the step for of transmitting comprises:*

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forming the information according to an accessible page format over an information network, readable using a web navigator and printable from any office work station equipped with a web navigator and a printer.

Dedrick teaches *forming the information according to an accessible page format over an information network, readable using a web navigator and printable from any office work station equipped with a web navigator and a printer* (col. 3, lines 62-67; col. 4, lines 44-55; Dedrick teaches the GUI allows the user to request and consume information by viewing, storing, printing, etc.. Dedrick also teaches transmitting the electronic information in a wide variety of formats that can be transmitted over the system.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey with Dedrick for the benefit of the publishers and advertisers to be able to provide the type of electronic information that end users want, thereby providing high quality electronic information (col. 17, lines 10-12).

Regarding dependent claim 8, McCaskey discloses *a method according to Claim 1, further comprising:*

consolidating documents, wherein information of the documents linked to identical titles are juxtaposed under a unique title for different documents (0066-0079; McCaskey discloses an editorial database, which is a relational database residing on a maintenance Web server system. McCaskey further discloses the editorial database is made up of a set of interrelated tables. It has been

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established and it well known in the art at that rational databases can be display information as a consolidation of documents, during which the information of the documents which are linked to the same titles are juxtaposed under a unique title into the different documents to be consolidated.).

Regarding dependent claim 9, McCaskey does not expressly disclose a *method according to Claim 1, said method further comprising:*

determining a summary of the document, the information is being selected as a function of a hierarchy of information values.

Dedrick teaches *a summary of the document* (col. 13, lines 36-39; col. 15, lines 26-27; Dedrick teaches the publisher may include content titles that summarily describe the content and are stored in the index databases.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey with Dedrick for the benefit of the publishers and advertisers to be able to provide the type of electronic information that end users want, thereby providing high quality electronic information (col. 17, lines 10-12).

Regarding dependent claim 11, McCaskey discloses *a method according to Claim 1, wherein, the document contains all titles and information input by said first user during the step of supplying* (0078; 0081; 0091; McCaskey discloses different standard regions of a single Web page and Web page template, which includes a title section.).

Regarding independent claim 12, McCaskey discloses *a device for communicating structured information between a first user and at least one second user, said device comprising:*

means for semantically defining a document standard being suitable for determining a general framework of the document comprised of (0083-0087; McCaskey discloses web page templates with specialized formats customized for specific news categories, thus defining a document standard.);

a series of titles and notifications (0078; 0081; 0091; McCaskey discloses different standard regions of a single Web page and Web page template, which includes a title section. McCaskey also discloses an electronic mail notification database.);

values authorized by fields of information (0083-0087; McCaskey discloses web page templates with specialized formats customized for specific news categories, thus defining a document standard.).

means for inputting, by a first terminal from said first user, information to be provided by inputting text and/or titles to the general framework and by selecting values authorized on the said fields (0064; 0081; 0087; 0091; 0120; McCaskey discloses writers use software to direct story's placement and formatting in it's printed newspaper form, thus a step for inputting information.).

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McCaskey does not expressly disclose *means for transmitting the information from said first user terminal to storage for access by each secondary terminal of each second user;*

means for selecting, by each secondary user terminal of the second user, a sorting criterion based on the titles or fields of the document;

means for re-organization of the document according to said sorting criterion set by the means for selecting; and

means for supplying, to each second terminal, the document being re-organized according to each sorting criterion and containing all titles of the document and the information input by the said first user.

wherein the means for defining said document standard is determined by said first user and each second user, said document standard being identical for said first user and each second user, each second user having a separate sorting criterion corresponding to each second user independent from another second user.

Dedrick teaches *means for transmitting the information from said first user terminal to storage for access by each secondary terminal of each second user* (col. 2, line 63-col. 3 line 18; col. 4, lines 10-23; Dedrick teaches a local content database, a remote metering server and a regional server. The created electronic information/advertisement may be transferred to a metering server in which the end user is then able to consume the information/advertisement.).

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means for selecting, by each secondary user terminal of the second user, a sorting criterion based on the titles or fields of the document (col. 8, lines 20-55; Dedrick teaches the end user (first user) requesting a web page sorted by a particular item (title), i.e. camera, modifying the user profile data. The appraisal agent accesses the user profile data from the personal profile database to determine the search criteria, then search for information by making requests to the yellow page servers (second user).).

means for re-organization of the document according to said sorting criterion set by the means for selecting (col. 8, lines 20-55; Dedrick teaches the end user requesting a web page sorted by a particular item (title), i.e. camera, modifying the user profile data. Therefore teaching a step for the re-organization of the document according to the selected criteria.).

means for supplying, to each second terminal, the document being re-organized according to each sorting criterion and containing all titles of the document and the information input by the said first user (col. 8, lines 20-55; Dedrick teaches the end user (first user) requesting a web page sorted by a particular item (title), i.e. camera, modifying the user profile data. The appraisal agent accesses the user profile data from the personal profile database to determine the search criteria, then search for information by making requests to the yellow page servers (second user). The advertisement is returned to the end user.).

wherein the means for defining said document standard is determined by said first user and each second user, said document standard being identical for

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said first user and each second user, each second user having a separate sorting criterion corresponding to each second user independent from another second user (col. 4, lines 24-65; col. 8, lines 38-66; Dedrick teaches a publisher/advertiser creating electronic information such as an advertisement which is then forwarded to a client via a server. The electronic information includes several options fields from which the end user may select. Dedrick further teaches the end user defining a search criteria to find an advertisement to meet the user needs, such as a particular brand, features, price, etc.. Thus the information sent to the server by the publisher/advertiser and received by the end user is sorted based on the end user's search criteria and returned to the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey with Dedrick for the benefit of the publishers and advertisers to be able to provide the type of electronic information that end users want, thereby providing high quality electronic information (col. 17, lines 10-12).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

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Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCaskey in view of Dedrick further in view of Miyasaka et al. (Patent No.: US 6,766,362 B1; Filed: Jul. 28, 2000) (hereinafter 'Miyasaka').

Regarding dependent claim 5, McCaskey in does not expressly disclose *a method according to Claim 1, wherein the step for defining the said document standard; further comprises:*

defining categories of information by said first user and the second user, said sorting criterion being based on said categories of information by the second user.

Dedrick teaches *the second user, said sorting criterion being based on said categories of information by the second user* (col. 4, lines 24-65; col. 8, lines 38-66; Dedrick teaches a publisher/advertiser creating electronic information such as an advertisement which is then forwarded to a client via a server. The electronic information includes several options fields from which the end user may select. Dedrick further teaches the end user defining a search criteria to find an advertisement to meet the user needs, such as a particular brand, features, price, etc.. Thus the information sent to the server by the publisher/advertiser and received by the end user is sorted based on the end user's search criteria and returned to the user. The Examiner concludes the search criteri to include but not be limited to categories.).

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Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey with Dedrick for the benefit of the publishers and advertisers to be able to provide the type of electronic information that end users want, thereby providing high quality electronic information (col. 17, lines 10-12).

Dedrick does not expressly teach *defining categories of information by said first user*.

Miyasaka teaches *defining categories of information by said first user* (col. 6, lines 11-col. 7, line 21; Fig. 6A; Miyasaka teaches a hierarchical structure of categories which conforms to searching and indexing requirements of contents stored in content databases.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey and Dedrick with Miyasaka for the benefit of providing a computer-network having content that can be selected and presented in a form according to personal preference of an individual recipient (col. 1, lines 60-63).

Regarding dependent claim 6, McCaskey in view Dedrick does not expressly disclose *a method according to Claim 1, wherein the step for of inputting is further comprised of:*

associating a priority level with the information, and

wherein the step of selecting is comprised of selecting a hierarchy of information based on said priority level of the information.

Miyasaka teaches *associating a priority level with the information, and wherein the step of selecting is comprised of selecting a hierarchy of information based on said priority level of the information* (col. 6, lines 11-col. 7, line 57; col. 8, lines 55-64; col. 14, lines 54-65; Miyasaka teaches a hierarchical structure of categories which conforms to searching and indexing requirements of contents stored in content databases. Miyasaka also teaches document content/area have priority levels as well as modifying the relative priority of topics and subtopics.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine McCaskey and Dedrick with Miyasaka for the benefit of providing a computer-network having content that can be selected and presented in a form according to personal preference of an individual recipient (col. 1, lines 60-63).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over McCaskey in view of Dedrick further in view of Danielsen et al. (Pat. No.: US 7,171,448 B1; Filed Apr. 17, 2000 (hereinafter “Danielsen”).

Regarding dependent claim 10, McCaskey in view Dedrick does not expressly disclose *a method according to Claim 1, wherein, the step of inputting comprises:*

allocating an identification of an author of the information and

wherein the step of selecting comprises:

selecting a hierarchy of information values based on identifications of said author.

Danielsen teaches *allocating an identification of an author of the information* (col. 5, lines 53-56; col. 6, lines 9-15; Danielsen teaches the facilitator invites people to collaborative sessions. If the person does not have a user ID, the system administrator creates a user ID for the person, which gives him/her access to the electronic collaborative work environment. Using the broadest reasonable interpretation, the Examiner concludes that the facilitator would also have a user ID.).

wherein the step of selecting comprises:

selecting a hierarchy of information values based on identifications of said author (col. 15, lines 35-44; Danielsen teaches a graphical user interface which includes session tabs, a list of sessions in which the user may elect to participate

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in. A facilitator is listed for each activity. Using the broadest reasonable interpretation, the Examiner concludes that Danielsen suggest selecting a hierarchy of information values based on identifications of said author.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Danielsen with McCaskey in view of Dedrick for the benefit of providing collaborative work tool that enables efficient and effective collaboration and communication in work sessions between two or more people independent of time and place (col. 4, lines 38-41).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. A new ground(s) of rejection is made in view of McCaskey, Dedrick, Danielsen and Miyasaka.

It is noted that Applicant's amendment to the independent claim significantly changes the scope of the claimed invention when interpreted as a whole.

The previous specification rejection regarding the Abstract is withdrawn.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Stephen S. Hong/
Supervisory Patent Examiner, Art
Unit 2178

JAMES DEBROW
EXAMINER
ART UNIT 2176